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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 16th January 1969

S.O. 268.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and in supersession of the Export of Mica (Inspection) Rules, 1964, published in the notification of the Government of India in the Ministry of Commerce No. S.O. 2658, dated the 30th July, 1964, the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Export of Mica (Inspection) Rules, 1969.

(2) They shall come into force with effect from the 15th April, 1969

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (a) 'Act' means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) 'agency' means any one of the Export Inspection Agencies established at Calcutta, Madras, Bombay or Cochin under section 7 of the Act;
- (c) 'mica' means all forms of mica other than micanite and micanite products, fabricated mica parts and mica powder;
- (d) 'approved sample' means any of the following:—

- (i) the sample approved by the foreign buyer and carrying his seal and signature in token thereof or,

- (ii) the sample, jointly sealed by the agency and the exporter, the replica of which has been sent to the foreign buyer and duly approved by him, or
- (iii) the standard physical master sample prepared by the Mica Export Promotion Council.

3. Basis of inspection.—The inspection of mica intended for export, shall be carried out with a view to seeing that the mica in respect of quality, size and thickness, shall be in accordance with the contracted approved sample. The inspection shall also be carried out on the basis of other technical conditions, if any, stipulated in the export contract.

4. Procedure of inspection.—(1) An exporter intending to export a consignment of mica shall give intimation in writing of his intention so to do to the agency to enable it to carry out inspection in accordance with rule 3 and along with such intimation submit an approved sample and other technical conditions stipulated in the export contract.

(2) Every intimation under sub-rule (1) shall be given not later than seventy-two hours before the scheduled time of loading the consignment of mica in the ship or the aircraft, as the case may be.

(3) If after inspection of the consignment of mica to be exported, the agency is of opinion that such consignment is in conformity with the approved sample and other technical conditions relating to such consignment, it shall, within seventy-two hours of carrying out the inspection, issue a certificate of inspection to the exporter declaring such consignment of mica as export-worthy.

5. Place of inspection.—(1) Inspection of any consignment of mica intended for export shall be carried out—

- (i) where such consignment is at Kodarma, Giridih or Gudur in the exporter's premises at such places;
- (ii) where such consignment is at the port of shipment in the docks, the ware houses of the body or authority running airways, the shipping agent's godowns or the exporter's godowns provided adequate facilities exist there for inspection

6. Inspection Fees.—Subject to a minimum of rupees ten for each consignment of mica, a fee of 20 paise per one hundred rupees of F.A.S. (Free Along Side) price of each such consignment shall be charged for inspection under these rules.

7. Appeal.—Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (3) of rule 4 may, within ten days of such refusal, prefer an appeal to a panel of experts consisting of not less than three persons, appointed for the purpose by the Central Government.

(2) The quorum of the panel shall be three.

(3) The decision of the panel of experts on such appeal shall be final.

[No. 60(71)Exp.Insp./68.]

P. C. ALEXANDER, Jt. Secy.